

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MARCO SHAUNTA RAINE,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

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CIVIL ACTION NO. 13-0147-WS-B

CRIMINAL NO. 07-00405-WS-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that the Government's Motion to Dismiss (Doc. 90) be granted and that Raine's petition (Doc. 88) be dismissed, and the Court finds that he is not entitled to a certificate of appealability, and consequently, is not entitled to appeal *in forma pauperis*.

DONE this 1st day of November, 2013.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE